

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ISRAEL NIEVES,

Plaintiff,

-against-

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.
-----X

JUDGMENT
05-CV- 2325 (CBA)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 5 2005 ★

P.M. _____
TIME A.M. _____

An Order of Honorable Carol Bagley Amon, United States District Judge, having been filed on November 21, 2005, reversing the Commissioner's decision, pursuant to the fourth sentence of 42 U.S.C. § 450(g); remanding plaintiff's claim for further administrative proceedings including a *de novo* hearing before an Administrative Law Judge; and directing that upon remand, the Administrative Law Judge will evaluate the medical opinions of record in accordance with 20 C.F.R. § 404.1527(d); it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed, pursuant to the fourth sentence of 42 U.S.C. § 450(g); that plaintiff's claim is remanded for further administrative proceedings including a *de novo* hearing before an Administrative Law Judge; and that upon remand, the Administrative Law Judge will evaluate the medical opinions of record in accordance with 20 C.F.R. § 404.1527(d).

Dated: Brooklyn, New York
November 30, 2005

ROBERT C. HEINEMANN
Clerk of Court

/s/